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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,751	09/23/2005	Vladimir Petrovic	MADE2.001APC	4314
20995 7590 01/11/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER MILLER, SAMANTHA A	
			ART UNIT 3749	PAPER NUMBER
			NOTIFICATION DATE 01/11/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcarter@kmob.com  
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## Office Action Summary

Application No.

10/550,751

Applicant(s)

PETROVIC, VLADIMIR

Examiner

Samantha A. Miller

Art Unit

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/27/2005</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 9-19 are rejected under 35 U.S.C. 102(b) as being anticipated by CANDELORO (5,107,687). CANDELORO teaches in the specification and Figs. 1-3 an invention in the same field of endeavor as applicant's invention that is described in the applicant's claims.

CANDELORO teaches:

1. A primary air supply chamber (22) from which primary air flow (24) is re-directed, an outlet nozzle (41, apertures) on said supply chamber that re-directs a jet of primary air away from said supply chamber, a partition (17) dividing a space into a first and second region, said supply chamber positioned in said first region, and an air outlet in said partition having an aperture into which said jet of primary air is directed so that a secondary airflow is caused to flow from within said first region into said second region (col.col.5 ll.45-68).

9. The supply chamber is attached to said air outlet (Fig.2).

10. The air outlet further comprises walls extending upwardly (46) from said outlet that are positioned around the periphery of said outlet (col.6 ll.10-20).

11. There is a gap (45) between some or all of said walls and said supply chamber through which said secondary air flows (col.6 ll.10-20).

12. The partition comprises a ceiling (42) of a room and wherein first region is a ceiling space and said second region is said room.

13. The air flowing from said outlet is directed sideways col.5 ll.60-64).

14. The edges of said outlet are curved (from 48 to edge of 42, Fig.3) so that the outlet reduces in width and then increases in width between the entrance and exit of the outlet.

15. A guide (39) located centrally within the aperture of said outlet to split the air flow from said outlet.

16. The guide splits the air flow into two streams (Fig.2).

17. The guide splits the air flow into four streams (Fig.2).

18. The partition comprises the floor of a room and wherein said first region is a space below said floor (42 is capable of being a floor) and said second region is said room.

19. The partition comprises the wall (42) of a room and wherein said first region is a space behind said wall and said second region is said room.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over CANDELORO in view of being an obvious design choice.

CANDELORO teaches the invention above and further teaches:

2. A nozzle on said supply chamber that result in a plurality of jets of primary air (Fig.2) (col.5 ll.65-68).
3. A nozzle is arranged in a row, and said outlet aperture is an elongate aperture (Fig.2).
4. There a row of a nozzle (Fig.2).
5. The nozzle is arranged in a row and further comprising a plurality of air outlets (40) adjacent each said row (col.5 ll.58-64).
6. The outlet apertures are elongate apertures (Fig.2).
7. The air outlet comprises a rectangular or square aperture (Fig.2 formed by 39) and wherein said nozzle is positioned around the periphery of said square or rectangular aperture (Fig.2).
8. The outlet comprises an annulus (47) around the periphery of said square or rectangular aperture that is adjacent said nozzle.

CANDELORO teaches the above invention, however CANDELORO does not teach a plurality of nozzles, arranged in a plurality of rows. It would have been obvious to a person having ordinary skills in the art at the time the invention was made to have modified the air nozzle of CANDELORO in view of a design choice of a plurality of

nozzles in several rows because Applicant does not give a reason for having a plurality of nozzles and rows and one elongated nozzle will work equally as well.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samantha A. Miller whose telephone number is 571-272-9967. The examiner can normally be reached on Monday - Thursday 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve McAllister can be reached on 571-272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

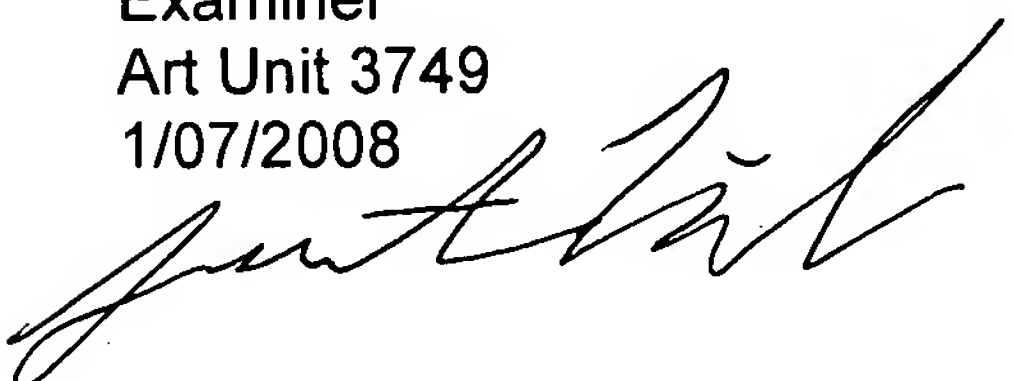
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samantha Miller

Examiner

Art Unit 3749

1/07/2008



STEVEN B. MCALLISTER  
SUPERVISORY PATENT EXAMINER